

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **November 12, 2002**

AGENDA ITEM NO.: 11

CONSENT: **X**

REGULAR:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Extension of Water Agreement with the Bedford County Service Authority**

RECOMMENDATION: Authorize the City Manager to sign the attached agreement extending the water agreement.

SUMMARY: This city has agreements with the surrounding Counties related to the sale of drinking water. With the exception of the Bedford County Service Authority, the agreements expire on June 30, 2005. The Bedford agreement expires on June 30, 2004. All of the agreements have a trigger date two years before expiration to initiate discussions regarding renewal. Staff feels that it is desirable to have all of the agreements expire at the same time and the Bedford County Service Authority has agreed to a one year extension.

PRIOR ACTION(S): N/A

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, Stephen Bontrager

ATTACHMENT(S): Extension Agreement, Resolution

REVIEWED BY: lkp

BE IT RESOLVED That the City Manager is hereby authorized to sign an agreement extending the water purchase agreement with the Bedford County Service Authority for one year.

Introduced:

Adopted:

Certified:

Clerk of Council

227L

EXTENSION OF WATER PURCHASE CONTRACT

THIS AGREEMENT FOR THE EXTENSION OF A WATER PURCHASE CONTRACT, is made and dated this ____ day of _____, 2002, by and between the City of Lynchburg, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as the "City" and the Bedford County Public Service Authority, hereinafter referred to as the "Authority".

W I T N E S S E T H:

WHEREAS, the City and the Authority entered into a Water Purchase Contract dated July 1, 1994, under which the City agreed to sell water to the Authority for resale by the Authority to the Authority's customers;

WHEREAS, the July 1, 1994 Contract was to be in force and effect for ten (10) years and was scheduled to end on June 30, 2004;

WHEREAS, it is the desire of the City and the Authority to extend the Water Purchase Contract for an additional year so that it will expire on June 30, 2005;

NOW, THEREFORE, WITNESSETH That for and in consideration for the sum of One Dollar (\$1.00) cash in hand paid to the City by the Authority and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the City and the Authority do mutually agree to extend the original Water Purchase Contract of July 1, 1994 as follows:

II. TERM AND RENEWAL

The term of the original Water Purchase Contract dated July 1, 1994 is hereby extended for a period of one year so the contract shall begin on July 1, 1994 and end on June 30, 2005. By

June 30, 2003, each party will notify the other of its intention to terminate the contract at the end of the June 30, 2005 term or to renew the contract for another term as provided in the contract.

Except as modified herein, all of the terms and conditions set forth in the original Water Purchase Contract dated July 1, 1994 shall remain in full force and effect and shall apply to this extension of Water Purchase Contract.

WITNESSETH the following signatures and seals.

CITY OF LYNCHBURG

By: _____
L. Kimball Payne, III
City Manager

Attested:

Patricia W. Kost, Clerk of Council

BEDFORD COUNTY PUBLIC SERVICE
AUTHORITY

By: _____

Its: _____

Attested:
